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Message Text

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ACTION EB-08

INFO OCT-01 IO-14 ISO-00 L-03 FRB-01 OMB-01 ITC-01
SP-02 ICA-20 AGRE-00 AID-05 CIAE-00 COME-00
INR-10 LAB-04 NSAE-00 OIC-02 SIL-01 OPIC-06
STR-07 TRSE-00 CEA-01 SS-15 ACDA-12 CEQ-01 CG-00
DLOS-09 DODE-00 DOTE-00 EPA-04 SOE-02 DOE-15
FMC-02 H-02 INT-05 JUSE-00 NSC-05 NSF-02 OES-09
PA-02 PM-05 AF-10 ARA-14 EA-12 EUR-12 NEA-10
/235 W
----------122478 061300Z /46
R 061152Z SEP 78
FM USMISSION GENEVA
TO SECSTATE WASHDC 3801
USMISSION USUN NEW YORK

UNCLAS SECTION 01 OF 02 GENEVA 13394

USUN FOR LOS DELEGATION

E.O. 11652: N/A
TAGS: PLOS, UNCTAD
SUBJECT: UNCTAD: G-77 DRAFT RESOLUTION

1. G-77 HAS TABLED FOLLOWING DRAFT RESOLUTION ON BEHALF OF G-77 ENTITLED "THE EXPLOITATION OF THE SEABED BEYOND THE LIMITS OF NATIONAL JURISDICTION."

BEGIN TEXT: THE TRADE AND DEVELOPMENT BOARD, TAKING NOTE OF THE REPORT PRESENTED BY THE SECRETARIAT OF UNCTAD ON THE NEGOTIATIONS HELD AT THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA, RELATED TO THE EXPLOITATION, FOR COMMERCIAL PURPOSES, OF THE RESOURCES OF THE SEA-BED AND OCEAN FLOOR, AND THE SUBSOIL THEREOF, BEYOND THE LIMITS OF NATIONAL JURISDICTION;

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BEARING IN MIND CONFERENCE RESOLUTION 51 (III) WHICH DECIDED THAT THE QUESTION OF THE ECONOMIC CONSEQUENCES AND IMPLICATIONS FOR THE ECONOMIES OF THE DEVELOPING COUNTRIES RESULTING FROM THE EXPLOITATION OF MINERAL RESOURCES SHOULD BE KEPT CONSTANTLY UNDER REVIEW BY THE CONFERENCE AND ITS SUBSIDIARY ORGANS, IN PARTICULAR THE TRADE AND DEVELOPMENT BOARD;

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RECALLING GENERAL ASSEMBLY RESOLUTION 2749 (XXV) WHICH DECLARED THAT THE SEA-BED AND OCEAN FLOOR, AND THE SUB-SOIL THEREOF, BEYOND THE LIMITS OF NATIONAL JURISDICTION, AS WELL AS THE RESOURCES OF THAT AREA, ARE THE COMMON HERITAGE OF MANKIND;

RECALLING FURTHER GENERAL ASSEMBLY RESOLUTION 2574 D (XXIV) WHICH DECLARED THAT, PENDING THE ESTABLISHMENT OF AN INTER-NATIONAL REGIME, STATES AND PERSONS, PHYSICAL OR JURIDICAL, WERE BOUND TO REFRAIN FROM ALL ACTIVITIES OF EXPLOITATION OF THE RESOURCES OF THE AREA OF THE SEA-BED AND OCEAN FLOOR, AND THE SUBSOIL THEREOF, BEYOND THE LIMITS OF NATIONAL JURISDICTION, AND THAT NO CLAIM TO ANY PART OF THAT AREA OR ITS RESOURCES SHOULD BE RECOGNIZED;

TAKING INTO ACCOUNT THAT THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA HAS MADE PROGRESS TOWARDS THE EARLY ADOPTION OF A NEW CONVENTION, WHICH WOULD PROVIDE THE ESTABLISHMENT OF AN INTERNATIONAL AUTHORITY ENTITLED TO ADMINISTRATE THE AREA OF THE SEA-BED AND OCEAN FLOOR, AND THE SUBSOIL THEREOF, BEYOND THE LIMITS OF NATIONAL JURIS-DICTION, AS THE COMMON HERITAGE OF MANKIND;

CONSIDERING THAT ANY UNILATERAL ACTIONS DESIGNED TO CARRY ON THE EXPLOITATION OF THAT AREA, BEFORE A CONVENTION ON

THE LAW OF THE SEA IS ADOPTED, WOULD VIOLATE THE AFORE-MENTIONED RESOLUTIONS OF THE GENERAL ASSEMBLY, WOULD JEOPARDIZE THE CURRENT NEGOTIATIONS AND WOULD DAMAGE THE INTERESTS OF THE INTERNATIONAL COMMUNITY;

CONSIDERING FURTHER THAT THE EXPLOITATION OF MINERAL RESOURCES OF THE SEA-BED AND OCEAN FLOOR, AND THE SUBSOIL THEREOF, BEYOND THE LIMITS OF NATIONAL JURISDICTION, UNDERTAKEN BY STATES AND PERSONS, PHYSICAL OR JURIDICAL, OUTSIDE THE FRAMEWORK OF A UNIVERSAL CONVENTION AND WITHOUT THE CONTROL OF THE AUTHORITY CALLED TO MANAGE THAT AREA, MIGHT HAVE VERY SERIOUS CONSEQUENCES FOR THE ECONOMIES AND TRADE OF OTHER STATES AND WOULD UNDERMINE THE CONCERT OF INTERNATIONAL AGREEMENTS ON MINERAL RESOURCES EXPLOITED BOTH IN LAND AND IN THE SEA-BED;

(1) CALLS UPON ALL STATES TO REFRAIN FROM ADOPTING LEGIS-LATION OR ANY OTHER MEASURES DESIGNED TO CARRY ON THE EXPLOITATION OF THE SEA-BED AND OCEAN FLOOR, AND THE SUBSOIL THEREOF, BEYOND THE LIMITS OF NATIONAL JURISDICTION, UNTIL NEGOTIATIONS AT THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA BE CONCLUDED;

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(2) REITERATES THAT ANY UNILATERAL ACTIONS IN CONTRAVENTIDN OF THE PERTINENT RESOLUTIONS OF THE GENERAL ASSEMBLY WOULD NOT BE RECOGNIZED BY THE INTERNATIONAL COMMUNITY AND WOULD BE INVALID ACCORDING TO INTERNATIONAL LAW;

(3) STRESSES THAT STATES WHICH MIGHT UNDERTAKE SUCH UNILATERAL ACTIONS WOULD HAVE TO ASSUME THE RESPONSIBILITY FOR THEIR CONSEQUENCES BOTH ON THE OUTCOME OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA AND ON NEGOTIATIONS ON COMMODITIES RELATED TO THE EXPLOITATION OF MINERAL RESOURCES FROM THE SEA-BED;

(4) URGES ALL STATES TOMAKE THE NECESSARY EFFORTS WITH A
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VIEW TO ENSURING THE SUCCESS OF THAT CONFERENCE AND OTHER CURRENT NEGOTIATIONS;

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EUR-12 NEA-10 L-03 FRB-01 OMB-01 ITC-01 SP-02
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CEA-01 SS-15 ACDA-12 CEQ-01 CG-00 DLOS-09 DODE-00
DOTE-00 EPA-04 SOE-02 DOE-15 FMC-02 H-02 INT-05
JUSE-00 NSC-05 NSF-02 OES-09 PA-02 PM-05 /235 W
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LAW OF THE SEA, IN ORDER THAT ITS CONTENTS BE MADE KNOWN TO MEMBER STATES.

2. WE HAVE MADE CLEAR OUR VIEW THAT TDB MEETING SHOULD NOT GET INVOLVED IN SUBSTANTIVE ASPECTS OF LOS ISSUES WHICH SHOULD PROPERLY BE DEALT WITH IN LOS CONFERENCE ITSELF. WE WILL ALSO POINT OUT MISUNDERSTANDING ON PART OF G-77 EXPRESSED IN OPERATIVE PARAGRAPH 2 CONCERNING LEGAL FORCE OF GA RESOLUTIONS. ANY ADDITIONAL GUIDANCE OR TALKING POINTS FROM DEPARTMENT OR LOS DELEGATION WOULD BE WELCOME.
VANDEN HEUVEL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: JURISDICTION, TERRITORIAL SEA LIMIT, RESOLUTIONS, INTERNATIONAL ORGANIZATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 06 sep 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780362-1009
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1978/newtext/t19780999/aaaadeat.tel
Line Count: 181
Litigation Code IDs:
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Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ab83fa56-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
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Retention: 0
Review Action: RELEASED, APPROVED
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1534594
Secure: OPEN
Status: NATIVE
Subject: UNCTAD: G-77 DRAFT RESOLUTION
TAGS: PLOS, UNCTAD
To: STATE USUN NEW YORK
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/ab83fa56-c288-dd11-92da-001cc4696bcc
Review Markings:
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